

**71-1,206.25 Other practices and activities; sections, how construed.**

- (1) Nothing in sections 71-1,206.01 to 71-1,206.35 shall be construed to prevent the teaching of psychology, the conduct of psychological research, or the provision of psychological services or consultation to organizations or institutions if such teaching, research, or service does not involve the delivery or supervision of direct psychological services to individuals or groups of individuals who are themselves, rather than a third party, the intended beneficiaries of such services, without regard to the source or extent of payment for services rendered. Nothing in such sections shall prevent the provision of expert testimony by psychologists who are otherwise exempted by such sections. Persons holding a doctoral degree in psychology from an institution of higher education may use the title psychologist in conjunction with the activities permitted by this subsection.
- (2) Nothing in sections 71-1,206.01 to 71-1,206.35 shall be construed to prevent members of other recognized professions that are licensed, certified, or regulated under the laws of this state from rendering services consistent with their professional training and code of ethics and within the scope of practice as set out in the statutes regulating their professional practice if they do not represent themselves to be psychologists.
- (3) Nothing in sections 71-1,206.01 to 71-1,206.35 shall be construed to prevent duly recognized members of the clergy from functioning in their ministerial capacity if they do not represent themselves to be psychologists or their services as psychological.
- (4) Nothing in sections 71-1,206.01 to 71-1,206.35 shall be construed to prevent persons who are certified as school psychologists by the State Board of Education from using the title school psychologist and practicing psychology as defined in such sections if such practice is restricted to regular employment within a setting under the jurisdiction of the State Board of Education. Such individuals shall be employees of the educational setting and not independent contractors providing psychological services to educational settings.
- (5) Nothing in sections 71-1,206.01 to 71-1,206.35 shall be construed to prevent any of the following persons from engaging in activities defined as the practice of psychology if they do not represent themselves by the title psychologist, if they do not use terms other than psychological trainee, psychological intern, psychological resident, or psychological assistant to refer to themselves, and if they perform their activities under the supervision and responsibility of a psychologist in accordance with the rules and regulations of the board:
  - (a) A matriculated graduate student in psychology whose activities constitute a part of the course of study for a graduate degree in psychology at an institution of higher education;
  - (b) An individual pursuing postdoctoral training or experience in psychology, including persons seeking to fulfill the requirements for licensure under sections 71-1,206.01 to 71-1,206.35; or
  - (c) An individual with a master's degree in clinical, counseling, or educational psychology or an educational specialist degree in school psychology who administers and scores and may develop interpretations of psychological testing under the supervision of a psychologist. Such individuals shall be deemed to be conducting their duties as an extension of the legal and professional authority of the supervising psychologist and shall not independently provide interpretive information or treatment recommendations to clients or other health care professionals prior to obtaining appropriate supervision. The board may adopt and promulgate rules and regulations governing the conduct and supervision of persons referred to in this

subdivision, including the number of such persons that may be supervised by a licensed psychologist. Persons who have carried out the duties described in this subdivision as part of their employment in institutions accredited by the Department of Health and Human Services, the State Department of Education, or the Department of Correctional Services for a period of two years prior to September 1, 1994, may use the title psychologist associate in the context of their employment in such settings. Use of the title shall be restricted to duties described in this subdivision, and the title shall be used in its entirety. Partial or abbreviated use of the title and use of the title beyond what is specifically authorized in this subdivision shall constitute the unlicensed practice of psychology.

**Source:**

Laws 1994, LB 1210, § 87; Laws 1996, LB 1044, § 475;  
Laws 1999, LB 366, § 13.